

AB:ADW

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

MOHAMED ALI, ISAAC BOATENG, BEN CHEN, MUSSIE HAILE, JING LEI JIANG and XIN XU,

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

SOTIRIOS V. MALAMIS, being duly sworn, deposes and states that he is a Special Agent with the Drug Enforcement Administration (“DEA”), duly appointed to law and acting as such.

On or about October 25, 2019, within the Eastern District of New York, the defendants MUSSIE HAILE, ISAAC BOATENG, MOHAMED ALI, XIN XU, JING LEI JIANG and BEN CHEN, did knowingly and intentionally manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance, to wit, marijuana, in violation of 21 U.S.C. § 841(a)(1).

(Title 21, United States Code, Section 841; Title 18, United States Code, Section 2)

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C O M P L A I N T

(T. 21, U.S.C., § 841; T. 18, U.S.C., § 2)

Case No. 19-996 M

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the DEA and have been for approximately ten years. In my capacity as a Special Agent, I have participated in investigations of narcotics and money laundering activities, including surveillance and the execution of search warrants and the monitoring of electronic tracking devices. I am familiar with the methods used to package and process controlled substances, including marijuana. I am familiar with the facts and circumstances of this investigation from my personal participation in this investigation, and from information obtained from other law enforcement agents and others. I have been involved in numerous investigations involving marijuana distribution, packaging, sales, and other criminal activities associated with marijuana.

2. On or about October 10, 2019, I, along with other members of law enforcement were present at a storage facility located at 2727 Knapp Street, Brooklyn, NY. We were at the storage facility investigating individuals for the SUBJECT OFFENSES. While there, three individuals were observed breaking open pallets that were filled with large boxes. The three individuals were then observed opening the boxes and removing large packages of marijuana and re-packaging the marijuana into large black plastic bags. The three individuals were arrested and on October 11, 2019 arraigned on Criminal Complaint 19-MJ-930, charging them with a violation of 21 U.S.C. § 841(a)(1).

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

3. On October 10, 2019, following the observations of law enforcement mentioned above, a certified canine named "Balu" arrived at the 2727 Knapp Street storage facility to assist. "Balu" has been continuously certified as a narcotic detection K9 since June 6, 2018, has assisted in several investigations, and has been previously found reliable. Balu is certified to detect, among other drugs, marijuana, cocaine, and heroin. Balu alerted to the presence of drugs in, on, or around the items that the arrested individuals were handling within the storage facility, including the pallets, the large black plastic bags and boxes. The total amount of marijuana within the storage facility where the three arrested individuals were observed is approximately 600 – 700 pounds.

4. On October 21, 2019, U.S. Magistrate Judge Debra Freeman of the Southern District of New York issued a search and seizure warrant authorizing the search of a vehicle found at the 2727 Knapp Street storage facility at the time of the arrests made on October 10, 2019. Agents executing the warrant found paperwork indicating that one of the individuals arrested on October 10, 2019 ("Individual-1") was renting a different storage unit at a self-storage facility located at 1200 McDonald Avenue in Brooklyn, New York ("SECOND STORAGE FACILITY"). Additionally, records obtained from the SECOND STORAGE FACILITY indicated Individual-1 had started renting the additional storage locker on or about September 17, 2019.

5. On October 24, 2019, law enforcement observed another of the individuals arrested on October 10, 2019 ("Individual-2") at the SECOND STORAGE FACILITY. Individual-2 also rented a storage unit within the SECOND STORAGE FACILITY. Law enforcement observed Individual-2 make late rental payments for a storage

unit located at the SECOND STORAGE FACILITY rented by Individual-1 and tell an employee that Individual-2 planned to clear out his (Individual-2) storage unit on October 25.

6. On October 25, 2019, while surveilling the SECOND STORAGE FACILITY, law enforcement observed defendant XIN XU drive to and park in a parking area at the facility, where he waited by himself in his vehicle for over an hour. Defendant BEN CHEN then drove to the parking area in another vehicle and parked next to XU's vehicle. Both men exited their vehicles, conversed, and then returned to their respective vehicles. Approximately half an hour later, defendants MOHAMED ALI, ISAAC BOATENG and MUSSIE HAILE arrived at the facility, driving a large yellow Penske truck and a white sedan. A few minutes after that, defendant JING LEI JIANG arrived separately in his own vehicle.

7. After defendant JING LEI JIANG arrived, all six of the defendants congregated behind the truck. I observed them unloading pallets from the back of the truck and moving them into the self-storage facility. The pallets were similar in appearance to those found at the 2727 Knapp Street storage facility on October 10, 2019. After the group finished unloading items from the truck, defendants MOHAMED ALI, ISAAC BOATENG and MUSSIE HAILE then left the facility, driving the truck and the white sedan.

8. Law enforcement followed the truck, observing that the white sedan, driven by ISAAC BOATENG, was closely following the truck. Law enforcement conducted traffic stops on both vehicles. Defendant MUSSIE HAILE, who was driving the truck, gave consent to open the back of the truck. After observing pallets in the back of the truck similar to the ones observed on October 10, 2019 at the Knapp Street storage facility, Balu (who was present with a handler at the time when the traffic stops were made) was exposed to the truck

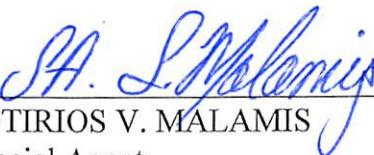
and alerted to the presence of drugs in, on, or around the pallets in the back of the truck. Defendants HAILE, MOHAMED ALI and ISAAC BOATENG were arrested.

9. Law enforcement then returned to the SECOND STORAGE FACILITY and observed an empty pallet with a black GPS device and a sealed pallet in front of storage unit 130 which was rented by JING LEI JIANG. Law enforcement then heard voices and walked away from storage unit 130. Law enforcement then observed BEN CHEN and JING LEI JIANG speaking near storage unit 130 and opening the door to storage unit 130. After announcing themselves as law enforcement, the agents saw defendant JIANG attempt to shut the door on the storage unit while he was standing inside of the unit. The agents forced the door open and observed inside the unit a full sealed pallet, an empty pallet, a broken pallet, and a large quantity of marijuana in plain view. Law enforcement then arrested CHEN and JIANG.

10. Video surveillance indicated that before law enforcement returned to the SECOND STORAGE FACILITY, defendant XIN XU had taken several bags from the storage facility and placed them into his vehicle before driving away from the area. After taking defendants BEN CHEN and JING LEI JIANG into custody, and while still at the SECOND STORAGE FACILITY, agents saw defendant XIN XU return to the storage facility. XU told the agents that he did not know CHEN or JIANG. Law enforcement then arrested XU.

11. In total, over 3,000 pounds of marijuana was seized from these defendants.

WHEREFORE, your deponent respectfully requests that the defendants MOHAMED ALI, ISAAC BOATENG, BEN CHEN, MUSSIE HAILE, JING LEI JIANG and XIN XU, be dealt with according to law.



SOTIRIOS V. MALAMIS
Special Agent
Drug Enforcement Administration

Sworn to before me this
26th day of October, 2019

THE HONORABLE RAMON E. REYES
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

